

Montgomery County Council

Legislation: Bill 18-22 Noise Control – Leaf Removal Equipment

Organization: The Climate Mobilization, Montgomery County

Position: Favorable with Amendments

Council Hearing: September 20, 2022

Dear Council President Albornoz and Council Members,

Thank you for this opportunity to testify in support of the Bill 18-22, Noise Control – Leaf Removal Equipment, with amendments. I am testifying as a member of The Climate Mobilization of Montgomery County, on behalf of the Climate Action Plan Coalition of Montgomery County.

The guiding principle of The Climate Mobilization is that we are in a climate emergency. Without an all-hands-on-deck perspective, there is no chance for our society to limit the impact of climate change on our civilization. The actions taken by the County to address the climate emergency are encouraging, but more needs to be done. This bill represents another important step in the county's efforts to reduce greenhouse gas emissions in the county 100% by 2035.

The Coalition enthusiastically supports this bill which

1. Prohibits the sale of combustion engine-powered blowers or leaf vacuums *six months* after enacted.
2. Prohibits the use of combustion engine-powered leaf blowers or leaf vacuums *a year* after enacted.
3. Authorizes DEP to establish a reimbursement program that provides a partial credit for residents and businesses who a) purchase an electric leaf blower and b) return a gas-powered leaf blower or leaf vacuum to the County.
4. Subjects persons who violate this bill to a fine up to \$1,000.

There are multiple concerns regarding the continued use of leaf blowers powered by fossil fuels. These can broadly be described as falling into the categories of health, equity and climate change.

With regard to health concerns, combustion engine-powered leaf blowers are loud, producing loud low frequency noise that makes them much louder than battery-powered blowers, even when their labeled noise levels are the same. The noise from gas blowers travels much longer distances and affects significantly larger numbers of neighbors, especially in settings where the homes are closely spaced. Many combustion engine leaf blowers impact the operator's ears at 100 decibels or more. The World Health Organization (WHO) recommends no more than 85 decibels for 1h per day to prevent hearing loss, while according to the CDC, permanent hearing loss can be caused by 91 decibels for 2 hours or 100 decibels for only 15 minutes a day (1,2). Loud noise not only causes hearing loss, but epidemiological studies have shown that environmental noise is a stressor associated with an increased incidence of high blood pressure, heart attacks and stroke (3).

Combustion engine-powered leaf blowers use engines that are highly inefficient and distribute toxicants that, when inhaled, can harm users and bystanders. Exhaust emissions from leaf blowers include hydrocarbons from both burned and unburned fuel, and which combine with

other gases in the atmosphere to form ozone, carbon monoxide, fine particulate matter, benzene, acetaldehyde, and formaldehyde (4). While all these compounds can cause negative health effects, the latter three compounds are considered probable human carcinogens.

Addressing the equity concerns, the people at most immediate risk to health damage from the noise and combustion engine emissions are the lawn workers. Many of these individuals use these combustion engine leaf blowers throughout the day, for many days every week. Indifference to their exposure implicitly ignores their long-term health concerns.

The third issue raised by the continued use of combustion engine-powered leaf blowers is the need to mitigate the impact of fossil fuels where ever and whenever possible. The burning of fossil fuels is what created the climate emergency. We cannot ignore the need to eliminate their use, and even more so, the combustion engines that power these devices are amongst the most inefficient. Several studies have compared the emissions of leaf blowers to that from cars. One hour of a running a combustion engine-powered leaf blower produces the same amounts of toxicants as driving a car over 1000 miles (5). As a society, we need to move away from fossil fuels as quickly as possible. Part of that action is to eliminate the routine use of fossil fuels in all our activities. This view of addressing climate change is similar to the denormalization of tobacco use that occurred when indoor air quality laws banned smoking in restaurants, bars and other public spaces. It is now rare to see people smoking in doors in public. This has played an important part of the significant reductions in smoking over the past decades. This bill will similarly further the denormalization of fossil fuels, and play a role in the overall reduction of greenhouse gas emissions that is needed to address climate change.

The change called for in this bill, phasing out the use of fossil fuel powered leaf blowers and incentivizing the switch to battery powered leaf blowers, is not a new concept. This action is taking place all over the country, and in our own backyard. Chevy Chase Village instituted a ban on combustion engine leaf blowers that went into effect on January 1, 2022 (6). Similarly, Washington DC's ban on these leaf blowers also went into effect on January 1, 2022 (7). It is estimated that at least 170 jurisdictions across the country have instituted some form of leaf blower ban. Regarding jurisdictions larger than Montgomery County, legislation recently passed in California has banned the sale of combustion engine leaf blowers, as well as other equipment that uses small fossil fuel powered engines, starting in 2024 (8). These efforts show that the phase out of combustion engine leaf blowers is achievable and gaining momentum. The passage of this law would place Montgomery County well within this effort, and serve as an additional model for other jurisdictions, to take the negative impacts of combustion engine leaf blowers seriously, and act similarly to phase them out.

The Climate Action Plan Coalition recommends an amendment to Bill 18-22. This bill is well designed, providing near term goals for implementation and a straightforward mechanism for imposing fines on individuals who violate the bill. One issue of concern is the pathway that supports the phase out of the tools. We need to support in an equitable manner access to electric replacements and additional batteries to small and minority business. The reimbursement program needs to be described in greater detail and include a sliding scale for the extent of reimbursement based on the annual earnings of landscaping companies and residents, as well as support for buying additional batteries. Notably, in Washington DC, a bank is providing loans with zero or low interest to support the transition. This type of initiative should be supported in Montgomery County, as well.

Thank you for your time.

On behalf of The Climate Action Plan Coalition, Montgomery County,

Kevin Walton

The Climate Mobilization, Montgomery County

Link to Bill 18-22

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2022/20220628/20220628_4.pdf

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